

REMARKS

Summary of Changes Made

By this Amendment, claims 41 and 42 have been canceled, claims 22, 26, 27, 28, and 36 have been amended, and new claims 47-50 have been added. Claims 41-42 are hereby cancelled as drawn to non-elected inventions in response to a restriction requirement, and the election of the Group I claims is hereby affirmed. Applicant hereby reserves the right to pursue the subject matter of the non-elected claims via divisional or continuation filings. Claim 22 has been amended to clarify an operational relationship, and Claims 26-28 have been amended to independent form as suggested by the Examiner to overcome an objection. Claim 36 has been amended only to correct a grammatical error. Accordingly, claims 22-40 and 43-50 remain pending in the application. No new matter has been added by this amendment.

Claim Objections

In the Office Action mailed March 9, 2004, the Examiner objected to claims 26-28 as being dependent on a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner will note that claims 26-28 have been so amended. Applicants respectfully assert that claims 26-28 are now patentable, and request reconsideration of the objection.

Claim Rejections - 35 U.S.C. §102(b) (Smethers)

Claims 22-25 and 43-44 have been rejected as anticipated in view of Smethers et al., U.S. 5,310,523 ("Smethers"). The Smethers device provides a reaction plate 24, containing a reaction well 66 formed by an elongate, radially extending channel. This well 66 serves as a reaction chamber, col. 5, ll. 41-45. From Fig. 7B, it is evident that the cross section of the reaction chamber 66 is U-shaped, and does not penetrate the reaction plate 24. In other words, the reaction chamber of Smethers is not a through-hole, as presently claimed in claims 22 and 43.

The reaction plate 24 is the lowest plate in the Smethers device. A transfer plate 28 rotates relative to the reaction plate 24. The transfer plate 28 is housed between reaction plate 24 and cover plate 26. Reaction plate 24 is secured to cover plate 26 by fasteners, such as rivets 75. Hence, reaction plate 24 cannot be moved relative to cover plate 26.

The present invention, as defined in independent claims 22 and 43, is distinct from the cited prior art inasmuch as the reaction chambers herein are "through holes" whereas the Smethers reaction chamber is not. Moreover, the instant invention provides multiple reaction chambers, whereas the Smethers device provides a single reaction chamber 66.

A further feature of the claimed invention as set forth in claims 22 and 43, is a device, which is provided for applying a force to the sliders in order to seal their contact faces, this device is acting on a connecting rod, which extends through central openings in the sliders, so that a force, which is applied by the device for applying a force to the sliders, acts in the area of the axis of rotation. The Smethers patent does not disclose

or suggest such a device for ensuring a seal between the sliders by the application of force.

The functionality of the Smethers device lacks several features of the present invention. The Smethers device does not possess the capability to feed reagents to the reaction chamber from one side of the stacked sliders and later to withdraw reaction products because the reaction chamber thereof is not a through-hole. Further, contrary to the Examiner's assertion, there is no chemical slider or its equivalent in Smethers. As stated previously herein, Smethers' cover plate 26 and reaction plate 24 are fixedly fastened to one another, creating in effect, a superstructure consisting of the reaction plate and the cover plate. Hence, there can be no rotation of reaction plate 24 relative to cover plate 26. It is only possible for transfer plate 28 to rotate relative to the fixed reaction plate-cover plate superstructure. Hence, unlike the capability of the inventive device herein, the three plates of Smethers (24, 26 and 28) cannot be rotated independently relative to one another. Clearly, Smethers does not disclose or contemplate a chemical slider as disclosed in the present invention. The inventive chemical slider is capable of withdrawing reagents from an external reservoir, and supplying them to the reaction chambers.

Although the Applicant herein asserts that claim 22 as originally written is clear, precise, and novel over the cited prior art, the claim has been amended for added clarity. It is believed this amendment does not change the scope of claim 22, but only clarifies the claim. Claim 22 as amended, now precisely points out that the reaction slider and the selector slider may be so moved *relative to the chemical slider* around a common axis of rotation. It should now be clear that the selector slider can be rotated

relative to the reaction slider. The selector slider and the reaction slider may be rotated independently of one another, and each relative to the chemical slider. This capability is not disclosed in Smethers. Applicants respectfully request reconsideration of claim 22, and assert that it is now patentable over the cited prior art.

Turning to claim 43, it is noted that the claim teaches an inventive embodiment based on the subject matter of claim 22, further limited by the inclusion of a common supply unit for reagents, with several storage vessels, wherein the storage vessels are provided with a level indicator, and a level monitoring device automatically monitors the levels of the individual storage vessels. Smethers fails to disclose or suggest any of these features or their equivalents.

With respect to claim 44, in addition to the above reasons in support of the patentability of claim 43, from which it depends, Applicants point out that the cited prior art does not disclose a common supply unit which is also designed to supply gas and electrical power.

New claim 47 has been added claiming that, in the assembly of claim 43, the reaction slider and the selector slider may be moved relative to the chemical slider. Support for this limitation can be found in the specification at p. 3, line 20 – p. 4, line 8.

New claims 48-50 capture the subject matter of claims 26-28 as originally written. Because they ultimately depend from claim 22, based on the above-asserted patentability of claim 22, as amended, Applicant respectfully asserts that claims 48-50 are patentable over the cited prior art.

In light of these arguments, Applicants respectfully request reconsideration of the rejection of claims 22-25 and 43-44, and assert that new claims 47-50 are patentable as written.

Allowable Subject Matter

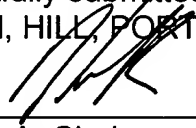
The Applicants expressly acknowledge that the Examiner has allowed Claims 29-40 and 45-46. As noted above, the Applicant has amended claims 26 to 28 to fully independent form in accordance with the Examiner's suggestion.

CONCLUSION

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 18-0160, our Order No. REN-12526.

Respectfully submitted,
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